

REMARKS

This communication is in response to the Final Office Action of October 9, 2007.

The Examiner objected to claim 25. Applicant has made the requested correction.

New claims 28-30 were added which specify that there are at least four performance levels, including “a low power two-dimensional graphics performance level, a standard two-dimensional graphics performance level, a low power three-dimensional graphics performance level, and a high performance three-dimensional graphics performance level.” Support for this claim amendment is found in paragraph [0024].

Applicants respectfully traverse the 35 USC §§ 102-103 claim rejections. Regarding independent claims 1, 21, and 25, one of ordinary skill in the art would not combine Giemborek and Williams to achieve Applicant’s claimed invention. Giemborek does not measure processor utilization. In contrast, Giemborek reads display mode settings to make processor clock adjustments, with the display mode settings being described in column 6, line 66 to column 7, line 4 as “color depth, screen resolution, screen size, refresh rate, or the number of active CRT controllers driving displays attached to the device.” Williams does not have discrete performance settings, but instead always attempts to operate the processor as fast as possible for the heat load, as described in column 6, lines 26-32. Consequently, the references fail to teach a number of limitations and in addition one of ordinary skill in the art would not combine their teachings.

It is also further respectfully submitted that the cited art does not teach or suggest discrete performance levels further in which “the selected performance level being a minimum performance level sufficient to maintain the display rate within the normal range.” As previously described, Williams always attempts to operate as fast as possible. Giemborek does not discuss maintaining a display rate within a normal range.

Regarding new claims 28-30, the cited art further does not teach or such four different discrete performance levels including “a low power two-dimensional graphics performance level, a standard two-dimensional graphics performance level, a low power three-dimensional graphics performance level, and a high performance three-dimensional graphics performance level.”

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is now in condition for allowance. The Examiner is invited to contact the undersigned if there are any residual issues that can be resolved through a telephone call.

The Commissioner is hereby authorized to charge any appropriate fees to Deposit Account No. 50-1283.

Respectfully submitted,
COOLEY GODWARD KRONISH LLP



By: _____

Edward Van Gieson
Reg. No. 44,386

Dated: October 24, 2007

COOLEY GODWARD KRONISH LLP
ATTN: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (650) 843-5852
Fax: (650) 857-0663